

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	TOURISM AND LEISURE COMMITTEE	7 JUNE 2018	7
REVIEW OF THE COUNCIL ART COLLECTION			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

This report proposes five draft recommendations that are the outcome of work undertaken by a Member Working Group nominated by the Tourism and Leisure Committee in November 2017, to establish the future management approach to the Council Art Collection.

RECOMMENDATIONS

The Tourism and Leisure Committee are requested to support:

1. That the Council adopts a more proactive management approach to the art collection and work towards achieving a 'strategic framework' as recommended by Mr William Moffett in the legal opinion 2017.
2. That Officers work towards achieving museum accreditation for the art collection under the Arts Council England scheme described in this report.
3. That Officers work to establish a Development Trust as described in this report to assist with additional fundraising and promotion of the collection.
4. That officers seek and apply for any external funding that may be applicable to an accredited art collection.
5. That in line with museum accreditation policies and procedures, the Council will not seek to sell any piece of artwork unless all external funding grants and additional fundraising opportunities have been exhausted, and the aims and objectives of the strategic framework have not been achieved. Only then would an application to the Charities Commission and Court be supported, with any income from sales used for the management of the remaining collection as per legal advice.

SUMMARY OF PREVIOUS DECISIONS

Community Focus Scrutiny Committee, 24 July 2014

Review of Fylde Arts Collection

After full consideration of this matter IT WAS RESOLVED to recommend to Cabinet:

1. The endorsement of the Blackpool Fylde and Wyre Cultural Partnership Framework.
2. An interim report being presented to the next Cabinet detailing the work of the Task and Finish Group thus far.
3. Acknowledgement of the excellent work undertaken by the Arts Working Group involving the Friends of the Lytham St Annes Art Collection, Booths, Lancashire County Council Museum Service Fylde Decorative and Fine Arts Society and the Civic Society and the associated future collaboration/ partnership working with these groups.
4. The feasibility of establishing an appropriate mechanism/ legal framework to enable a management policy for the Arts Collection to be developed.

5. The feasibility of exploring options available to appoint a part time dedicated Arts Development Officer who would be responsible for management of the Arts Collection as part of a wider arts development role and to secure external funding for projects at a level which exceeds the cost of the post.
6. An updated report being presented to December meeting of committee which includes the outcomes of 4 and 5 above.

Cabinet, 24 September 2014

Arts Service Review

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and **RESOLVED** to:

1. Consider and agree the recommendations detailed below of the Community Focus Scrutiny Committee on the interim conclusions and recommendations of the arts collection task and finish group –

1.1 That the Blackpool Fylde and Wyre Cultural Partnership Framework is recommended for endorsement by Cabinet.

1.2 To present an interim report to the next Cabinet detailing the work of the Task and Finish group thus far.

1.3 To acknowledge the excellent work undertaken by the Arts Working Group involving the Friends of the Lytham St Annes Art Collection, Booths, Lancashire County Council Museum Service Fylde Decorative and Fine Arts Society and the Civic Society. Also the Group wish to support future collaboration and partnership working with these groups.

1.4 To investigate the feasibility of establishing an appropriate mechanism/ legal framework to enable a management policy for the Arts Collection to be developed.

1.5 To explore the feasibility/options available to appoint a part time dedicated Arts Development Officer who would be responsible for management of the Arts Collection as part of a wider arts development role and to secure external funding for projects at a level which exceeds the cost of the post.

1.6 Officers bring a further report to Community Focus Scrutiny Committee on the outcomes of 4 and 5 above.

2. Request that a further report is prepared and presented to Cabinet setting out the outcomes of the detailed feasibility studies in respect of an arts collection management framework and arts officer post as recommended by Community Focus Scrutiny Committee on the 24th July 2014 at points 4 and 5.

Community Focus Scrutiny Committee, 04 December 2014

Arts Service Review

Following consideration of the matter it was **RESOLVED**:

1. To note the progress made with the recommendations
2. To involve the appointed Arts Service Task and Finish group at key stages in the process.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

BACKGROUND

1. Fylde Council are responsible for a number of artworks which are ‘held upon charitable Trust’ (Legal Opinion, Moffett 2017), that have been donated over the last 100 years for the benefit of local people.
2. The Corporate Plan 2016 states under A Great Place to Visit to “Offer an arts collection that is available to everyone”.

3. The Council art service collection comprises of:
 - 112 British and Continental oil paintings dating from mid-1600s onward. Mostly 1800s to early 1900s.
 - 86 watercolours and drawings
 - 74 prints and photographs
 - 12 sculptures
 - 20 ivories
 - Furniture and civic regalia
4. A Member Working Group was nominated by the Tourism and Leisure Committee at the meeting of 2 November 2017, to undertake a review of the Council's arts collection. The purpose of the group was "to review the council's approach to the management of the Lytham St. Annes Art Collection" and "to build on the previous work done by the Arts Service Task and Finish Group in 2013-14".
5. The Working Group consisted of 9 Members of the Tourism and Leisure Committee and was chaired by the Head of Cultural Services, who was assisted by the Head of Governance, the Tourism and Leisure Manager and the Arts Development Officer (Collections). The Working Group held three meetings between December 2017 and April 2018, including a visit to the Atkinson Museum, Southport.
6. Comprehensive information about the collection and a description of the potential future management options were presented and discussed to ensure that Members were provided with enough information to make recommendations to the Tourism and Leisure Committee.
7. At the first meeting, officers presented a range of background information to the Members including:
 - Chronology of Key Events since the first donation in 1925
 - Legal Opinion 2017 provided by William Moffett, Barrister, Radcliffe Chambers, Lincoln's Inn, London
 - Artwork Provenance
 - Overview and Themes of the Collection
 - Current Management and Resources
 - Current exhibitions, promotion and access to the collection
 - Conservation by Lancashire County Council
 - A visit to the Arts Store in the basement of the Chasely building
8. The second meeting covered:
 - Partners and Stakeholders
 - Future Management Options
 - Potential Operating Vehicle and pathways
 - Museum Accreditation
 - Potential Grant Funding
 - Examples of Good Practice
9. In the second meeting the working group proposed that a late Capital Bid be submitted to the Tourism and Leisure Committee at the meeting of 8 February 2018, recommending that a Capital Sum of £50,000 be agreed to improve the current artwork storage facilities. This recommendation was agreed by Full Council at the meeting of 5 March 2018 for inclusion in the 2018/19 Capital Programme.
10. The third and final meeting included a visit to the Atkinson Museum in Southport followed by a meeting to agree and propose recommendations to the Tourism and Leisure Committee, with regard to the future management of the art collection. Heather Davis, Senior Conservation Officer, Lancashire County Council attended the meeting and was invited to give her opinion on the proposed recommendations. Ms Davis agreed that the draft recommendations included in this report, would provide the most competent way in delivering the aims of the working group.

CURRENT POSITION

11. The working group have discussed and evaluated the 'pros and cons' of the 4 options in relation to the future management of the collection, listed below:
 - Maintain the Status Quo

- Transfer to a Trust or Community Group
 - Sell all or part of the collection (Application to the Court and Charities Commission required to establish ownership)
 - Adopt Proactive Management
12. The option of selling any or all artwork was covered by the Head of Governance. It was explained that the majority of the artworks are held upon Charitable Trust by Fylde Council. Under the terms of Charitable Trust, any sale would require a high court judgement which would unlikely to be successful, unless any capital receipt was reinvested into the collection.
13. The group unanimously agreed that the Council need to adopt a more proactive approach with regard to the future management of the collection. The main benefits being:
- Current 'In house' expertise to manage the collection
 - Opportunity to design and implement a strategic framework
 - Work towards museum accredited status
 - Opportunities for external funding grants
 - Fylde Council retain managerial control of the collection (as per the intention of the donors)
 - Continue to work with current stakeholders
 - Opportunity to create a Development Trust to assist with fundraising and promotion
 - Meets the popular operating model in the museum sector e.g. Manchester Art Gallery and The Atkinson, Southport
 - Funds could enable increased conservation and wider public access initiatives
 - Development Trust's eligible for more funding streams than Local Authority
14. It was agreed that all aspects of collection management needed to be improved, and that a 'strategic framework' as advised in the legal opinion 2017 by William Moffett needs to be created and delivered. This will ensure competent management of the collection and provide new external grant opportunities.
15. As part of a more proactive approach, it was agreed to create and work in partnership with a Development Trust. Development Trusts have a purely fundraising remit, rather than any managerial responsibilities. As registered charitable trusts they are able to apply for external grants that local authorities are not eligible to apply for.
16. In order to achieve a 'strategic framework', it was agreed that officers will work towards gaining formal museum accreditation status for the collection. Museum accreditation is a scheme administered by Arts Council England (ACE) to support professionalism and 'best practice' management in the museum sector. Members were advised that formal accreditation could take 2-3 years to achieve.
17. To be awarded formal accreditation, holders of heritage collections are required to submit a suite of management documents to ensure competent management of the collection, including:
- Forward Plan
 - Collections Development Policy (previously known as Acquisitions & Development Policy)
 - Documentation Policy
 - Documentation Procedures Manual
 - Care & Conservation Policy
 - Care & Conservation Plan
 - Emergency Plan
 - Access Policy
 - Volunteer Agreement
 - Environmental Sustainability Policy Statement
 - Security Review
18. The main advantages of working towards accreditation are:
- The artworks will be managed proactively and professionally
 - Support and recognition from professional bodies such as Arts Council England
 - Raises the status of the collection

- Provides new external funding opportunities
- Opportunity to develop a Development Trust to assist with additional fundraising and promotion

CONCLUSION

19. The Member Working Group unanimously agreed that Fylde Council should take a more proactive management approach to the management of the art collection. The donation of the artwork is appreciated and Members felt that the Council has a responsibility to manage the collection competently and are recommending that Officers work towards achieving museum accreditation for the collection.
20. The complexities of ownership and potential sale of the collection was discussed in detail as part of this review. Members recommend that all external funding opportunities are explored before any consideration is given to the sale of any artwork, upon which any capital receipt would be solely used for the future management of the collection.
21. The appointed working group are Councillors Little, Akeroyd, Brickles, Chew, Fazackerley, Lloyd, Pitman, Settle, Thomas.

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report
Legal	None arising from this report
Community Safety	None arising from this report
Human Rights and Equalities	None arising from this report
Sustainability and Environmental Impact	None arising from this report
Health & Safety and Risk Management	None arising from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Community Focus Scrutiny Committee	24 July 2014	http://www.fylde.gov.uk/meetings/details/1177
Cabinet	24 September 2014	http://www.fylde.gov.uk/meetings/details/1188
Community Focus Scrutiny Committee	04 December 2014	http://www.fylde.gov.uk/meetings/details/1180